

**Iowa Department of Human Services  
CHILD CARE CENTER COMPLAINT**

<b>Name of Center:</b> Kid Spot Daycare		<b>Enrollment:</b> 77	<b>License ID:</b> 4113000001
<b>Street:</b> 114 North Michigan	<b>City:</b> Lake City	IA <b>Zip Code:</b> 51449	<b>County:</b> Calhoun
<b>Mailing Address:</b> 114 North Michigan			
<b>Mailing City:</b> Lake City		IA <b>Zip Code:</b> 51449	
<b>Director's Name:</b> Krystal Frank		<b>Center Phone Number:</b> 712-464-3053	
<b>On-Site Supervisors:</b> Krystal Frank		<b>E-Mail Address:</b> kidspot@iowatelecom.net	

**Date of Complaint:** 9/27/2013

**Date of Visit:** 9/30/2013

☐ Scheduled      ☒ Unannounced      ☐ NA

☐ Non-Compliance with Regulations Found      ☒ Compliance with Regulations Found      ☐ NA

## RECOMMENDATION FOR LICENSE

**[X] NO CHANGES to licensing status recommended**

[ ] **PROVISIONAL** license from \_\_\_\_\_ to \_\_\_\_\_

**[ ] SUSPENSION of License**

## [ ] **REVOCATION of License**

**Summary of Complaint:**

A complaint was received that a staff member in the Toddler Room of the Kid Spot Daycare had placed children in time out for insufficient reasons such as crying or taking their shoes off and for long periods of time, "rips" blankets off children during nap time, calls the children names, sits them down roughly, and yanks their arms hard when they get up from cots

**Licensing Rules Relevant to the Complaint:**

109.12(2) Discipline does not allow -- corporal punishment; punishment that causes humiliation, fear, pain or discomfort; locking children in an area or using mechanical restraints; associating with illness, toilet training, food or rest; or the use of verbal abuse, threats, or derogatory remarks about a child's family.

### Inspection Findings:

An unannounced visit was made to the Kid Spot Daycare on 09-30-13 where I met with center director Krystal Frank. Krystal was informed of the complaint. Krystal stated that she was aware of the concerns that had been raised. Krystal stated that the staff member identified in the complaint has been a long term employee working for the center for 14 years in all of the classrooms but primarily in the toddler room. Krystal stated that there have never been any concerns in the past, nor has she had any concerns regarding the employee's performance recently. Krystal provided a copy of the center's current parent handbook which does identify that time out is used in the center for certain behaviors but the primary method of intervention is redirection and positive guidance techniques. Krystal stated that when the children are placed in time out it is for a period of time equivalent to 1 minute per year of age. Krystal identified that the behaviors for which children would receive time out include hitting, biting, pushing peers, and other behaviors that would be characterized as aggressive. Krystal was asked about staff calling children names. Krystal stated that some staff will call a child by a nickname if one is identified by the parents but otherwise she is not aware of staff making up any nicknames or using derogatory names for the children. Krystal was asked about the center policies on lifting children. Krystal stated the center does not have any written policies but she is not aware of any problems with staff lifting children. Krystal did identify the staff that are the primary workers in the toddler room, two of which were working at that time, and one which was not

I next spoke with the employee identified in the complaint who confirmed she has worked for the center for the past 14 years and does work primarily in the toddler room. When asked about discipline used in the center and the toddler room the employee identified that for older children time out is used based on age, but for the toddler room they generally redirect and talk to them but will sometimes use time out. When asked what time out would be used for the employee identified aggressive behaviors such as hitting and biting. When asked if the children would be sent to time out for non-aggressive behaviors the employee stated they would not. She did note that sometimes children will go sit in a corner on their own if they are upset about something to take a break but they would not be sent there by a staff nor was it any kind of punishment. The employee was asked about the use of pet names for children that attend the center. She stated that they do use nicknames if the parents identify one but neither she nor any of the other staff currently working in the room have ever called a child any nick/pet name(s) that were derogatory or upsetting to the children. She did state that a former employee would sometimes call the children names that she felt were negative. When asked about the center policies regarding picking children up the employee identified that she will place both hands under the child's arms in the arm pits. The employee stated that she had not been trained in this but just understood this is the best way to pick a child up. When asked about lifting a child by the arm or helping them off the cots the employee stated she may hold out her hand for them to pull themselves up but she does not lift them. The employee also denied ever sitting a child down hard either after lifting the child, or as part of placement in time out. The employee was asked about the center policies regarding blankets. The employee stated that all of the children get blankets but they are lightweight blankets. The employee stated that she will remove blankets for children sleeping in cribs, or if the children are playing with the blanket. She denied ever taking a blanket from a child in harsh manner or observing any other staff removing a blanket in a harsh manner.

I next spoke with the other staff member identified as working in the toddler room. The staff member identified she is also a long term employee and works primarily in the toddler room. The staff member provided much the same information in that the center policies for use of time out include aggressive behavior and is based on one minute per year of age otherwise redirection is used. The employee denied being aware of any staff placing children in time out for non-aggressive behaviors, or being rough with a child when placing the child in time out. The employee identified no concerns regarding staff calling children derogatory names. The employee stated that when lifting children the staff in the room will place their hands under the children's armpits. When asked about the center use of blankets the employee stated that children under one year of age are not supposed to have them but over one year can. The employee stated that if a child under one year of age has a blanket in a crib she and/or other staff will remove it but she has never observed anyone do so in a rough manner. The employee identified no concerns with any staff either current or past

A call was made to the center on 10-09-13 to speak to the employee who had been absent on the day of the initial visit. The employee was informed of the complaint and asked about the concerns identified. The employee provided the same basic information as the other classroom teachers denying witnessing any staff placing a child in time out for non-aggressive behavior, removing blankets or handling children in a rough manner, or calling the children derogatory or pet names. The employee again identified that when lifting children the staff will place their hands under the armpits of the child and she has never witnessed staff lifting a child by an arm.

Based on the information obtained the complaint is not substantiated for a violation of licensing standards. The center does have established policies regarding discipline that is to be used in the center which includes positive guidance techniques, and time out. All staff were knowledgeable of the policies and all deny having witnessed any other staff member having violated these policies. All staff deny that children are called by any nickname or pet name that is derogatory or which is said in a derogatory manner. All staff deny that they have lifted, or witnessed any staff lift a child in a manner other than by placing their hands below the child's arms in the arm pits. All staff agree that children are allowed to have blankets during nap time though children under one year of age are not supposed to have them and they will generally remove the blanket from the crib. All staff deny having engaged in or witnessed any other staff being aggressive or rough with a child either when lifting, placing in time out, or when removing blankets.

#### **Special Notes and Action Required:**

Based on the information obtained the report was not substantiated and no action against the center license is recommended. It is however recommended that the center consider revising the center policies regarding discipline, and adding a policy regarding lifting.

The center does have a written policy regarding discipline and the use of time out. The policy as written identifies that time out will be used for certain behaviors but does not identify what those behaviors are. All staff identify that the current practice is that time out is used for aggressive behavior such as hitting and biting. If the intention is that time out will be used for aggressive behaviors this should be identified in the written policy along with behaviors for which time out would not be used.

The center does not have any written policy regarding lifting children. Again there is a general practice in the center of staff identifying that they will lift a child by placing their hands below the arms in the child's arm pits. It is recommended that specific policies be considered regarding when and how to lift a child, and when and how a child should not be lifted. This will help to ensure that staff receive training which should help to reduce the risk of injury to children and staff due to improper lifting techniques.

If you feel something is unclear or unjustly cited, please contact me so that we may discuss the issue and if necessary, I can make a notation in your record. You may also send a letter that will be included in your licensing file noting any disagreement you may have with the evaluation report as provided in this document. If I have failed to provide for you any information discussed during my visit, please contact me and I will forward the information to you. Thank you.

**Consultant's Signature:**

**Date:**

10/09/2013

A handwritten signature in black ink, appearing to be "K. L.", written over a horizontal line.